

Notice of Allowability

Application No.

09/776,793

Examiner

Quang N. Nguyen

Applicant(s)

WESTBROOK ET AL.

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 09/10/2004.
2. ☒ The allowed claim(s) is/are 1-24.
3. ☒ The drawings filed on 04 February 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 09/10/2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Allowable Subject Matter

1. An Examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment maybe filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Claims 1-24 are allowed.

3. The following is an examiner's statement of reasons for allowance:

In interpreting the claims, in light of the specification and the applicant's arguments filed on 09/10/2004, the Examiner finds the claimed invention to be patentably distinct from the prior art of record.

Clauberg (US Patent No. 6,735,219) teaches the invention substantially as claimed. Clauberg teaches a packet switch adapter for the processing of variable-length packets comprising packet data and packet information, wherein the adapter comprises a distributor for distributing the packets to several parallel, identical processing paths (*paths 10, 20 and 30 of Fig. 2b*), each comprising at least one processing unit (*processing units 11-13, 21-23 and 31-33 of Fig. 2b*), whereto the packets are fed and processed by shifting them through the processing units (Clauberg, Fig. 2b, C2: L48-58 and C12: L3-52).

However, the prior art of record fails to teach or suggest individually or in combination that a method and system for resequencing a stream of packets comprising: a plurality of distributed resequencing components, each of the plurality of distributed resequencing components ***including one or more data structures for maintaining an indication of packets of the stream of packets that are stored in other distributed resequencing components*** of the plurality of distributed resequencing components; ***a communications mechanism*** coupled to the plurality of distributed resequencing components to ***allow communication among the plurality of distributed resequencing components***; and one or more packet merging mechanisms coupled to the plurality of distributed resequencing components to receive packets of the stream of packets to produce a resequenced stream of the stream of packets as set forth in independent claims 1, 9 and 12. Claims 1-24 are allowed because of the combination of other limitations and the limitation listed above.

The examiner finds the Applicant's arguments on pages 3-5 of the Remarks filed on 09/10/2004 to be persuasive. The applicant argued in substance that the prior art of record does not teach each of the plurality distributed resequencing components *including one or more data structures for maintaining an indication of packets of the stream of packets that are stored in other distributed resequencing components and a communication mechanism coupled to the plurality of distributed resequencing components to allow communication among the plurality of distributed resequencing components*, wherein the communication mechanism provides mechanism to enable


communication and coordination among the plurality distributed resequencing components so they collectively can resequence the stream of packets.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang N. Nguyen whose telephone number is (571) 272-3886.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


RUPAL DHARIA
SUPERVISORY PATENT EXAMINER